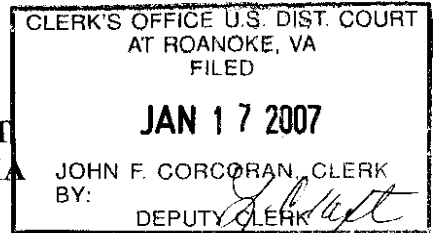


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



KENNETH BRIAN JOYNER,  
Plaintiff,

v.

MAJOR J. C. COMBS, et al.,  
Defendant(s).

)  
)  
)  
)  
)  
)  
)

Civil Action No. 7:06-cv-00377

**ORDER**

By: Hon. James C. Turk  
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

as follows:

1. Defendants' motion for summary judgment (Dkt. No. 10) is hereby **GRANTED** in part and **DENIED** in part; specifically, the motion is **GRANTED** as to Claims (a) and (b) and these claims are hereby **DISMISSED** without prejudice, pursuant to 42 U.S.C. § 1997e(a), for failure to exhaust administrative remedies, but the motion is **DENIED** as to Claim (c), regarding challenges to disciplinary proceedings; and
2. All action in this case is hereby **STAYED**, pending further order of this court after the United States Supreme Court issues its decision in the consolidated cases of Jones v. Michigan Dept. of Corr., No. 05-7058 and Williams v. Overton, No. 05-7142 (petition for cert. granted Mar. 6, 2006); and

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 17<sup>th</sup> day of January, 2007.

*[Signature: James C. Turk]*  
Senior United States District Judge